

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY
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CLERK'S OFFICE
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION
D.C.

SAMANATHA KOON and HAROLD)
KERNEY, individually and on behalf)
of all others similarly situated,)
Plaintiffs,)
vs.) No. 1-05-1151-TAn
KOHLER CO.,)
Defendant.)

RULE 16(b) SCHEDULING ORDER

Pursuant to Rule 26(f) and Rule 16 (b) of the Federal Rules of Civil Procedure and notice to the parties, the Court held a scheduling conference on September 7, 2005. After discussion with counsel for the parties it appears that the standard form used by this Court for scheduling purposes is not suited to this case since the Plaintiffs seek class certification in this matter.

The following dates are set for the following events:

1. Initial Disclosures Submitted By: November 21, 2005
2. Plaintiff's Expert Witness Disclosures (for class certification): April 14, 2006
3. Defendant's Expert Witness Disclosures (for class certification): May 15, 2006
4. Completion of Pre-Certification Discovery: May 26, 2006
5. Plaintiffs' Motion for Class Certification Filed By: June 26, 2006
6. Defendant's Response to Class Certification Filed By: August 11, 2006 (or within 45 days of service of the motion, whichever is sooner)

Following the Court's ruling on Plaintiff's class certification motion, the Court will schedule a status conference to determine deadlines for the completion of discovery, filing dispositive motions, pretrial procedures and setting a trial date.

IT IS SO ORDERED.

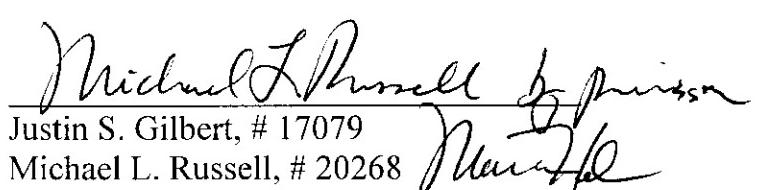
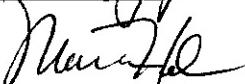

S. THOMAS ANDERSON
U.S. MAGISTRATE JUDGE

DATE: November 21, 2005

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Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 1:05-CV-01151 was distributed by fax, mail, or direct printing on November 22, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT